

HSS/Union Topical Wrap-Up Meeting
December 4, 2008
PRIORITY NEAR-TERM ACTION OVERVIEW

Background: Union representatives who participated in the initial 2007 HSS Focus Group meetings agreed to a path forward in which various unions combined to form working groups to address union identified health and safety issues by topical area. 2008 meetings were held to specifically address the topical areas of interest and concern related to worker health and safety at DOE sites: Training, 851 Rule Implementation, Former Worker Program/CAIRS Reporting/Central Worker Data Tracking, and Aging Workforce/Strategic Initiatives. The December 4 wrap up was held to distill the integrated actions from all of the 2008 topical meetings into priority actions from which a path forward of specific activities, owners and supporting resource commitments can be determined beginning in FY2009.

The Topical Union Leads submitted priority actions/activities identified from the 2008 topical working group meeting discussions (attached) in preparation for the December 4 wrap-up discussion (attached). The following is an overview of targeted shorter term actions identified by the HSS/Union working group.

Action 1. Identify the basic set of minimum DOE access training requirements

- Set basis minimum training requirements for site entrance. [HSS]
- Identify DOE worker populations affected by, and required more detailed specialized training. [NIEHS/Unions]
- Identify training gaps/needs assessment to include focus on 851 requirements [NIEHS/NTC/HAMMER/Unions]
- Create a collaborative health and safety training working group [HSS/NTC/Unions/NIEHS/HAMMER]
- Identify contractual vehicle to promulgate uniform implementation of training requirements DOE wide (e.g., contractor bid documents). [HSS/DOE]

Action 2. 851 Gap Analysis [NIEHS/HSS/UNION]

- Establish a DOE 851 Champion [HSS]
- Engage HSS oversight and enforcement vehicles to enhance awareness and implementation [HSS]
- Based on gap analysis (above) assign priority needs for supplemental training [NTC/HSS/Unions/NIEHS]

Action 3. HAMMER Modeled Training – Phase I

- Based on the collaborative health and safety training working group (re: Action Item 1):
 - Develop training concept and delivery [*Collaborative Health & Safety Working Group*]
 - Identify pilot site(s) [*Collaborative Health and Safety Working Group*]

Action 4. Data Analysis

- Provide appropriate access to CAIRS and ORPS data. [HS-30]
- Provide data on significant health and safety issues. [Unions]
- Provide data on training and safety and health issues. [NIEHS]

ACTION 5. Identify and engage appropriate stakeholders in worker health and safety improvement efforts.

- HSS to contact Energy Facilities Contractor Group to engage contractor element in collective efforts of HSS/DOE/Unions/NIEHS/HAMMER [*HS-10 Health and Safety*]

December 4, 2008
HSS/Union Topical Wrap-Up Meeting

The following reflects an overview of the meeting discussion based on priorities submitted by the 2008 Union Topical Leads:

TRAINING REQUIREMENTS

- Unions agree on a primary need to set basic minimum training requirements to ensure site access to a pre-qualified workforce.
 - SMWIA reported that this is not unique, but in fact a typical practice of industry.
 - In addition, attributes this training component to dramatic results in decreasing injury at construction sites (e.g., Las Vegas).
- SMWIA priorities include standardized training requirements across the DOE complex supported by the NIEHS training model; support for 851 requirements (as onsite delivery training initiative or pre-work requirement); and the utilization of the HAMMER model for hands-on training with peer instructors, and web based components when applicable.
- In an effort to ensure standardization of training requirements among contractors and subcontractors within, and site-to site, unions contend that these need to be incorporated in contract requirements.
- It was noted that HSS contract authority is not unilateral, but proposed the idea of reaching out to the DOE Procurement Office to consider a built in checking system to ensure these requirements are addressed; HSS will reach out to PSOs.
- The unique situations in which specialty training is required (e.g., building trades) also needs to be addressed within this framework; requirements for credited specialty training of workers as applicable needs to not only to be recognized, but monitored and tracked for reciprocity.
- HSS stated that these requirements are covered under 10 CFR 851; HS-10 has developed and will provide a matrix on all of the DOE worker health and safety training requirements under the 851 Rule. HS-10 will provide this matrix to the Focus Group participants.
- USW reported that although the requirements are stated, there are disagreements among contractors in how they are interpreted for implementation. Clarification to ensure consistency in implementation is needed.
- HAMMER agreed stating there is a gap between the requirements and how they are implemented. It was also noted that some of the smaller contractors/subcontractors aren't aware they are not working within the requirements, "they don't know what they don't know" (e.g., sheet metal workers to be trained in fall protection). In addition to inconsistent, (or lack of), implementation of requirements, the original contract (bid) requirements language is not as descriptive as it could be to ensure understanding. In terms of regulatory driven implementation, the lack of clarity with regard to DOE requirements has been termed at some sites as the "DOE Gap"

ACTION PRIORITIES:

- Set the basic set of minimum requirements for site access [HSS]
- Identify worker populations affected by specialized training [NIEHS/Unions]
- Set up a health and safety training working group with a network of DOE stakeholders [HSS/NTC/Unions/NIEHS/HAMMER/Other DOE PSO]
- Follow-up on process for contractual requirements to ensure uniformity in training requirements implementation. [HSS]

HAMMER MODELED TRAINING:

- CPWR stated that the emphasis on peer trainers and a hands-on training environment are the key elements of HAMMER training that has demonstrated effectiveness in worker learning. HAMMER

has achieved credibility utilizing a participatory concept to enhance worker health and safety training extending to hazard recognition.

- Acknowledging the breadth of achieving the broad HAMMER model site-wide, USW proposed conducting a HAMMER model pilot at three DOE sites (Oak Ridge, Portsmouth and Savannah River) as Phase I of a multi-year schedule for reaching 3 to 6 additional sites.
- In addition, the USW proposed the need for a multi-stakeholder health and safety working group to orchestrate/guide program development.
- HAMMER offered that the challenge is not in developing the conceptual model, but in the support of DOE and contractor management Champions.
- HAMMER also stated the importance of conducting a training gap analysis as part of the HAMMER modeled training initiative and recommended selecting a site and an issue from the gap analysis as a starting point. In addition, proposed a year of planning, the development of best practices and looking beyond the nominal.
- SMWIA proposed that setting the pre-requisite training requirements, conducting a site-wide gap analysis and then moving to gap analysis for individual sites and specialty training would set the stage for training delivery/HAMMER model development.
- Karen McGinnis reported that Tom Schaffer (Metal Trades Department) has reached out to the Sandia Site, bringing folks to HAMMER in a benchmarking effort. The effort has resulted in a more formal collaborative work relationship with Sandia.

ACTION PRIORITIES: Through the collaborative health and safety training working group [see Training Action to establish the working group]:

- Develop HAMMER model training concept and delivery
- Identify pilot site(s)

851 GAP ANALYSIS:

- HSS and Unions agreed on the need for an HSS 851 DOE Champion.
- HSS reported concerted HSS efforts with regard to 851 implementation communications at DOE sites:
 - Glenn Podonsky is receiving some response from contractors to a November letter he sent to all DOE contractors affirming 851 implementation.
 - HSS Enforcement Office has developed a 2009 field visit schedule in which enforcement coordinators will integrate 851 communications efforts and field issues with 851 awareness and worker rights and responsibilities.
 - HSS Oversight Office is also incorporating 851 communications into their scheduled independent oversight site visits that includes specific questions to determine effectiveness of understanding of worker rights and responsibilities under 851.
 - HSS Worker Safety and Health Office is working with both the Enforcement and Oversight Offices in these efforts.
- In addition to a more aggressive approach by HSS, HSS has asked the unions engage in feedback to the DOE Program Secretarial Offices regarding 851 implementation issues and concerns.

ACTION PRIORITIES:

- Establish a DOE 851 Champion [HSS]
- Engage HSS oversight and enforcement vehicles to enhance 851 awareness and implementation
- Based on the gap analysis (see Training Action), identify priority needs for supplemental training

DATA ANALYSIS:

- CPWR reported the Former Worker Program is operating well under its current collective structure.

Under Glenn Podonsky's leadership, the FWP grantees now meet on a regular basis, and as such recommends discontinuing the FWP workgroups through the Focus Group forum.

- CPWR also reported collective work in the development of synergies between the FWP and Energy Compensation programs as an output of the Focus Group meetings.
- CPWR requests appropriate access to the DOE injury and illness CAIRS and ORPS data collection for utilization in targeting training needs and assessing training effectiveness.
- HSS will work to identify an avenue for appropriate access. HSS is also looking at changes /improvements in data format that would provide better analytical capabilities, as well as, looking at differences between CAIRS and Workers Compensation Data.
- CPWR suggested utilization of the HSS Outreach Website as central vehicle for information dissemination and exchange by providing links where, for example, data access issues could be worked out, NIEHS could make data available, etc.

ACTION PRIORITIES:

- HSS to provide appropriate access of CAIRS and ORPS data to unions
- Unions to provide data on significant health and safety issues
- NIEHS to provide data on training and safety and health issues

Other Related Discussion Items:

- IBEW highly recommends a structured transition/tracking process in which health and safety reports and recommendations transmit to new management/teams for implementation and/or follow-on.
- CPWR reported a continuation in developing synergies between FWP and the Energy Compensation Program. The collective effort includes DOE, DOL, NIOSH and the unions.
- Critical to maintaining and sustaining a knowledgeable and experienced workforce in a time where a significant number of workers are moving into retirement, the IBEW reiterated the importance of focus on mentoring programs.
- HSS noted the missing contractor element in the collective health and safety improvement efforts of HSS and the Unions. HSS will contact EFCOG. [HS-10]

The intent of the meeting summary is to focus on the gist of the meeting discussion, with an attempt to capture the essence of all the representatives stated and the tasks to be completed to implement the path forward in addressing and resolving identified issues. The meeting summary in no way captures all of the data and dialogue from the meeting.

Note: Informational materials related to the HSS/Union Focus Group/Topical meetings, as well as the HSS Visiting Speakers Program can be found on the HSS Public Outreach Website at:

<http://www.hssoutreach.doe.gov/>